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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,372	10/16/2003	Teiyu Goto	SCEI 3.3-017 CONT CONT	9281
530	7590	03/22/2004	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			BROCKETT, JULIE K	
			ART UNIT	PAPER NUMBER
			3713	

DATE MAILED: 03/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/687,372

Applicant(s)

GOTO ET AL.

Examiner

Julie K Brockett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10162003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 4, 6, 7, 9, 10, 12, 13, 15, 16 and 18-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Yokoi et al., U.S. Patent No. 5,820,462. Yokoi discloses an operating device for a game machine. The device comprises a main body and first and second grips protruding at spaced portions from the main body (See Yokoi Fig. 1). A first operating unit is mounted to the main body adjacent one of the spaced positions. The first operating unit has an input element operable to generate a signal (See Yokoi Fig. 1, item 15L). A second operating unit is mounted to the main body adjacent another one of the spaced positions, the second operating unit has an input element operable to generate a signal (See Yokoi Fig. 1, item 15R). Third and fourth operating units are mounted to the main body so as to be positioned between and adjacent the first and second grips (See Yokoi Fig. 1).

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The third operating unit is positioned adjacent to the first operating unit and one of the spaced positions and has an input element operable to generate a signal (See Yokoi Fig. 1, item 19B). The fourth operating unit is positioned adjacent to the second operating unit and another one of the spaced positions and has an input element operable to generate a signal (See Yokoi Fig. 1, item 18C). Both the third and fourth operating units project from the main body between the first and second grips. The third operating unit projects from the first operating unit to a position between the first and second grips. The fourth operating unit projects from the second operating unit to a position between the first and second grips (See Yokoi Fig. 1, items 19B & 18C). The main body has front and rear sides. The first and second grips protrude from the rear side of the main body. A fifth and sixth operating units are arranged on the front side of the main body. Each of the fifth and sixth operating units has an input element operable to generate a signal (See Yokoi Fig. 2, items 16R & 16L). Yokoi et al. further discloses a game machine with a main unit for reading a game program (See Yokoi col. 1 lines 9-15).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 5, 8, 11, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yokoi et al. in view of Nishiumi et al., U.S. Patent No. 5,897,437. Yokoi et al. lacks in disclosing a vibration-imparting unit. Nishiumi teaches of a video game controller comprising a vibration-imparting unit arranged in the controller (See Nishiumi et al. col. 1 lines 57-64; Fig. 1). Nishiumi lacks in disclosing that the vibration-imparting unit is arranged in at least one of first and second grips. It would have been obvious to one of ordinary skill in the art at the time the invention was made to place the vibration control pack of Nishiumi into the of the grip portions of Yokoi et al. If the vibrations were generated in the grip portions, the player would receive more intense vibrations and it would provide a realistic feel to the game.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie K Brockett whose telephone number is 703-308-7306. The examiner can normally be reached on M-Th 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg SPE can be reached on 703-308-1327. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

113: 


Teresa Walberg
Supervisory Patent Examiner
Group 3700